

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**Timothy Gales,**

**Plaintiff,**

**v.**

**Thomas P. Charles, et al.,**

**Defendants.**

**Case No. 2:21-cv-328**

**Judge Michael H. Watson**

**Magistrate Judge Jolson**


**ORDER**

After performing an initial screen of this case under 28 U.S.C. § 1915(e)(2), Magistrate Judge Jolson issued a Report and Recommendation (“R&R”) recommending that the Court dismiss Plaintiff’s official-capacity damages claims as well as Plaintiff’s conspiracy, Fourth Amendment, Fourteenth Amendment, and state-law claims. R&R, ECF No. 5. The R&R recommended permitting Plaintiff to proceed with his individual-capacity retaliation claim but ordered Plaintiff to file an Amended Complaint detailing which allegations that are not barred by the statute of limitations support that claim. *Id.*

The R&R notified the parties of their right to object to the recommendations and specifically notified the parties that a failure to timely object would amount to a waiver of both the right to have this Court conduct a *de novo* review of the R&R and the right to appeal this Court’s adoption of the R&R. *Id.* The deadline for objecting has passed, and no objections were filed.

Accordingly, the Court **ADOPTS** the R&R without conducting a *de novo* review. All claims for damages against Defendants in their official capacities are **DISMISSED WITHOUT PREJUDICE** as barred by sovereign immunity. The conspiracy claim, the Fourth Amendment claim, and the Fourteenth Amendment claim against Defendants are **DISMISSED WITH PREJUDICE** as barred by the pertinent statutes of limitations. The state-law claims against Defendants in their individual capacities are **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**



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**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**